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PART III.

Legislative Measures and Rules thereunder.

OFFICE OF THE SECRETARY, LEGISLATIVE COUNCIL, BANGALORE.

OFFICIAL MEMORANDUM.

No. 3425, *dated the* 2*nd January* 1926.

The Report of the Select Committee appointed to consider the Mysore District Boards Bill which was printed in the *Mysore Gazette* dated the 17th December 1925, is reprinted below. Some mistakes which were observed have been corrected here and the changes proposed by the Select Committee are clearly exhibited.

By Order,
R. RANGA RAO,
Secretary, Legislative Council.

REPORT OF THE SELECT COMMITTEE APPOINTED TO CONSIDER THE MYSORE DISTRICT BOARDS BILL.

We, the members of the Select Committee appointed to consider the District Boards Bill, met and considered the Bill at six sittings. The clauses in the Bill which in our opinion require changes, the amendments proposed by us and the reasons therefor are noted below. We recommend that the Bill as amended by us may be passed by the Council.

(Sd.) B. NAGAPPA.
" M. ZAHIRUDDIN MECCI.
" B. ABDUR RAHMON.
" H. VENKATRAMIA.†
" SYLVESTER PAIS.
" G. PARAMASIVIAH.
" W. L. CRAWFORD.
" N. S. NANJUNDIAH.*
" K. CHANDY (*Chairman*).

†Signed subject to the note of dissent printed at the end of the Report.

*Signed subject to a note of dissent which has not been received.

[NOTE.—The words omitted, transposed, substituted or inserted by the Select Committee are shown within square brackets. Portions of the clauses not considered necessary to be printed are indicated by asterisks and those requiring special attention are printed in thick type.]

Report of the Select Committee appointed to consider the Mysore District Boards Bill—*contd.*

Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
Preamble.—Whereas it is expedient to consolidate and amend the law relating to [District Boards and District Funds,] it is hereby enacted as follows :—	*Preamble.*—Whereas it is expedient to consolidate and amend the law relating to [Local Boards and Village Panchayets (Regulation No. VI of 1918), so far as it pertains to District Boards,] it is hereby enacted as follows :—	The law that is proposed to be amended is contained in the Local Boards and Village Panchayets Regulation, No. VI of 1918. The preamble is recast to show that it is this Regulation that is replaced, so far as it relates to District Boards.
Clause 1—Proviso.—Provided that it shall be lawful, at any time after the passing of this Regulation, to hold [an election] in any district [in the manner] prescribed in this Regulation or the rules framed thereunder, but such [election] shall not take effect till the commencement of this Regulation in that district.	*Clause 1—Proviso.*—Provided that, it shall be lawful, at any time after the passing of this Regulation, to hold [elections] in any district [as] prescribed in this Regulation or the rules framed thereunder, but such [elections] shall not take effect till the commencement of this Regulation in that district.	This is to avoid an interregum when the Regulation is introduced into any district. Elections may take place beforehand, and as soon as the Regulation is introduced in a district, a District Board may be constituted at once.
Clause 2—Proviso.—Provided that—(*a*) * * * (*b*) any appointment, notification, notice, order, scheme, license, permission, rule, bye-law, form, tax, fee, cess or rate made, issued or imposed, contracts entered into and suits and other proceedings instituted under the aforesaid Mysore Local Boards and Village Panchayets Regulation, 1918, or under any enactments or rules thereby repealed, shall, so far as may be, be deemed to have been made, issued, imposed, entered into and instituted under this Regulation ;	*Clause 2—Proviso.*—Provided that—(*a*) * * * (*b*) any appointment, notification, notice, order, scheme, license, permission, rule, bye-law, form, tax, fee, cess or rate, made, issued, [given] or imposed, contracts entered into and suits and other proceedings instituted under the aforesaid Mysore Local Boards and Village Panchayets Regulation, 1918, or under any enactments or rules thereby repealed, shall, so far as may be, be deemed to have been made, issued, [given,] imposed, entered into and instituted under this Regulation ;	There is no suitable verb for the word "permission." Hence the change in two places.
(*c*) the assets and liabilities of the aforesaid District and Taluk Boards in such district shall, subject to such [restrictions and] conditions as may be imposed by the Government, devolve on the District Board constituted under this Regulation.	(*c*) the assets and liabilities of the aforesaid District and Taluk Boards in such district shall, subject to such conditions as may be imposed by the Government, devolve on the District Board constituted under this Regulation; [provided that any **funds set apart for a specific purpose** by the aforesaid Boards, **shall not be diverted for any other purpose, without the consent of the District Board** thus constituted.]	"Restrictions" is not a suitable word ; the word "conditions" is comprehensive and includes restrictions also. The concluding clause will ensure that it is only when Government and the newly constituted Board both agree that funds set apart for one object could be diverted for a different object.
3. In this Regulation— (1) "District" means any local area, which for the purposes of the collection of land revenue shall have been placed, for the time being, under the charge of a Deputy Commissioner of a District or which for the purposes of this Regulation, the Government may, by notification in the Official Gazette, from time to time, declare to be a district [or to be attached to and to form part of a District.]	3. In this Regulation— (1) "District" means any local area which, for the purposes of the collection of land revenue, shall have been placed, for the time being, under the charge of a Deputy Commissioner of a District, or which, for the purposes of this Regulation, the Government may, by notification in the Official Gazette, from time to time, declare to be a District. Interpretation.	The words struck out are unnecessary in view of the power given to Government to declare any area as a district for the purposes of this Regulation.

4. (1) As soon as may be, after the commencement of this Regulation, the Government of His Highness the Maharaja shall, [with effect from such date as it may appoint,] establish by notification in the Official Gazette, for each district, a District Board having authority over the entire district, provided that such portions of the district as are included in a Municipality or are under the authority of a Sanitary Board constituted under the Mysore Mines Regulation, 1906, shall be excluded from the jurisdiction of the District Board.

7. The elected members of District Boards shall be elected by general and special constituencies and the number and extent of such constituencies and the members to be elected by each constituency shall be regulated by the rules or orders of the Government notified in this behalf.

8. (1) The Deputy Commissioner shall keep a list for each constituency of the District Board within his district of the persons qualified to vote in such constituency at elections of members [of] the District Board.

9. Every person who is not less than 21 years of age and who is not subject to any disqualification specified in Section 10 or any other provision of this Regulation or the rules thereunder shall be entitled to have his name entered in the list for a constituency [prescribed under Section 7,] qualifying him to vote at elections of members [of] District Boards in such constituency, if he,

* * * * *

10. No person may vote who—

(*a*) has been [**sentenced**] by a Criminal Court [**to imprisonment or whipping for**] **an offence punishable with imprisonment for a term exceeding six months, or** [**to**] **transportation**, such [sentence] not having been subsequently reversed or quashed, or

(*b*) is a person against whom an order has been passed under Section [180] of the Code of Criminal Procedure, 1904, in proceedings instituted under Section 110 of that Code, such order not having been subsequently reversed or quashed, or

4. (i) As soon as may be, after the commencement of this Regulation, [and with effect from such date as it may appoint,] the Government of His Highness the Maharaja shall establish by notification in the Official Gazette, for each district, a District Board having authority over the entire District, provided that such portions of the district as are included in a Municipality or are under the authority of a Sanitary Board constituted under the Mysore Mines Regulation, 1906, shall be excluded from the jurisdiction of the District Board.

Establishment and incorporation of District Boards.

7. The elected members of District Boards shall be elected by general and special constituencies and the [description,] number and extent of such constituencies and the members to be elected by each constituency shall be regulated by the rules or orders of the Government notified in this behalf.

Elected members of District Boards by whom to be elected.

8. (1) The Deputy Commissioner shall keep a list, for each constituency of the District Board within his district, of the persons qualified to vote in such constituency at elections of members [to] the District Board.

Deputy Commissioner to keep lists of voters.

9. Every person who is not less than 21 years of age and who is not subject to any disqualification specified in Section 10 or any other provision of this Regulation or the rules thereunder, shall be entitled to have his name entered in the list for a constituency [prepared under Section 8,] qualifying him to vote at elections of members [to] District Boards in such constituency, if he,

What persons may be voters at elections.

* * * * *

10. No person may vote who—

(*a*) has been [**convicted**] by a Criminal Court **[of] an offence punishable with imprisonment for a term exceeding six months, or [with] transportation**, such [conviction] not having been subsequently reversed or quashed; or

General disqualification of voters.

(*b*) is a person against whom an order has been passed under Section [113] of the Code of Criminal Procedure, 1904, in proceedings instituted under Section 110 of that Code, such order not having been subsequently reversed or quashed; or

Calls for no remark, as it is a mere transposition of a phrase, which had come in between the auxiliary and principal verb, to its proper place.

There was no indication as to what should constitute general and special constituencies. Description of these is also included in the scope of the rules.

Calls for no remarks.

Calls for no remarks.

The period of the punishment awardable for an offence should ordinarily decide disqualification and matters would be equalised in the case of less heinous offences by the proviso to the clause.

The figure 180 is incorrect. It should be 118.

Report of the Select Committee appointed to consider the Mysore District Boards Bill—*contd.*

Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
(*c*) has been dismissed from Municipal, District Board or Government service, or * * * * Provided that— [the disqualifications in clauses (*a*), (*b*), (*c*), (*d*) and (*e*) will cease to operate after expiry of ten years from the date of such sentence, order, dismissal, withdrawal or removal, or earlier by an order of Government.]	(*c*) has been dismissed from Municipal, District Board or Government service [and debarred from being re-entertained in such service,] or * * * Provided that— [(*i*) the disqualification in clause (*a*) will cease to operate after expiry of **three years from the expiry of the sentence**, or earlier by an order of Government, and that in clause (*b*) after expiry of the **period** during which the person is **ordered to furnish security** ; and] [(*ii*) the disqualifications in clauses (*c*), (*d*) and (*e*) will cease to operate after expiry of ten years from the date of such dismissal, withdrawal or removal, or earlier by an order of Government.]	Disqualification should be confined to cases where in addition to dismissal a person is debarred from being re-entertained. The period during which disqualification under (*a*) will subsist, is reduced to three years and that in (*b*) to the period during which security is ordered to be furnished. As offences punishable with more than six months imprisonment include both heinous and minor offences, the power of Government to remove the disqualification earlier than three years is retained. As regards (*c*), (*d*) and (*e*), the existing provision may remain, including power of Government to remove the disqualification. The third para relating to share and interest, governs all cases and hence the changes made, *viz.*, omission of "or" in the first para, and addition of "any person" in the second para.
11. Any person whose name is entered in the list prepared under Section 8 for a constituency and who is not a female, [or] a salaried officer or servant of the District Board or the Government, and who has not directly or indirectly, by himself or his partner any share or interest in any work done by order of [a] District Board or in any contract or employment with or under or by or on behalf of District Board, may be a candidate at any election in such constituency : Provided that— (*i*) no person shall be disqualified by reason only of such person (*a*) having a share in any joint stock company or a share or interest in any society registered [or deemed to be registered] under the Mysore Co-operative Societies Regulation, 1918, which shall contract with or be employed by or on behalf of the District Board ; or	11. Any person whose name is entered in the list prepared under Section 8 for a constituency and who is not a female, a salaried officer or servant of the District Board or the Government, and [any person] who has not directly or indirectly, by himself or his partner, any share or interest in any work done by order of [the] District Board, or in any contract or employment with, or under, or by, or on behalf of, [the] District Board, may be a candidate at any election in such constituency : Provided that— (*i*) no person shall be disqualified by reason only of such person (*a*) having a share in any joint stock company or a share or interest [in any Literary Association registered under the Societies Registration Regulation, 1904, or] in any society registered under the Mysore Co-operative Societies Regulation, 1918, which shall contract with or be employed by or on behalf	**Qualifications necessary for election to District Boards.** Literary Associations are also included.

had been eligible to be a member of the Board.]

12. (3) A person who has already been elected or appointed a member of a District Board on one or more occasions shall, if otherwise duly qualified, [be,] subject to the proviso to Section 11, eligible for re-election or re-appointment.

13. (1) Subject to such rules as may be prescribed in this behalf, every election requisite for the purposes of this Regulation shall be held on such dates as the Deputy Commissioner shall fix in this behalf.

[(2) Where there is no duly qualified candidate, the Deputy Commissioner shall report the matter to Government with proposals for nominating the required number of members and, where the number of duly qualified candidates is less than the number of members required to be elected, the Deputy Commissioner shall declare all such candidates to be elected and shall report the fact to the Government with proposals for nominating the remaining number of members.]

[(3) When the number of duly qualified candidates is equal to the number of members required to be elected, the Deputy Commissioner shall declare all such candidates to be elected.]

(4) If at any election of a member of a District Board under this Regulation, there is an equal number of votes in favour of each of two or more persons who are willing to take office, and the addition of one vote will entitle any of the persons to be elected, the determination of the person or persons to [whom one additional vote shall be deemed to have been given, shall be made by the Deputy Commissioner or by such officer as he may empower in this behalf, by lot in such manner as he shall deem fit.]

(5) If any person duly elected at any such election declines to take office, the person, if any, amongst the unsuccessful candidates in whose favour the highest number of votes has been recorded and who is willing to take office shall be deemed to be the member elected.

[(6)] In cases falling under sub-section (2) and when at any contested election no votes are recorded, or for any reason an election does not result in the return of the required number of qualified persons willing to take office the Government shall appoint the required number of persons, being persons who would have been qualified to be elected and persons so appointed shall be deemed to be members of the District Board as if they had been duly elected.

12. (3) A person who has already been elected or appointed a member of a District Board on one or more occasions shall, if otherwise duly qualified, [and] subject to the proviso to Section 11, [be] eligible for re-election or re-appointment.

13. (1) Subject to such rules as may be prescribed in this behalf, every election requisite for the purposes of this Regulation shall be held on such dates as the Deputy Commissioner shall fix in this behalf.

Elections when to be held and provisions for elections or nominations in particular cases.

[(2) (*a*) Where the number of duly qualified candidates is not more than the number of members required to be elected, the Deputy Commissioner shall declare all such candidates to be elected.

(*b*) Where there is no duly qualified candidate, or where the number declared under clause (*a*) above is less than the number required to be elected, the Deputy Commissioner shall report the fact to Government with proposals for nominating the required number of members.]

[(3)] In cases falling under [clause (*b*) of] sub-section (2), and when at any contested election no votes are recorded, or for any reason an election does not result in the return of the required number of qualified persons willing to take office, the Government shall appoint the required number of persons, being persons who would have been qualified to be elected, and [the] persons so appointed shall be deemed to be members of the District Board as if they had been duly elected.

Calls for no remarks.

Sub-clauses (2) and (3) are somewhat cumbrous and some portions are repeated. They are re-cast without in any way affecting the sense.

Consequential to above. The proper place for the sub-clause is just after sub-clause (2).

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Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
	(4) If at any election of a member of a District Board under this Regulation, there is an equal number of votes in favour of each of two or more persons who are willing to take office, and the addition of one vote will entitle any of the persons to be elected, the determination of the person or persons to [be elected shall be made forthwith by the Polling Officer by lot in such manner as may be prescribed by the Government.]	Elections are ordinarily held at Taluk headquarters and may be held at more than one polling centre in one taluk. The Polling Officer has to count the votes and declare the results then and there. It is therefore desirable to authorize the Polling Officer to decide by lot in cases of equal votes, so as to avoid the delay of sending the papers to the Deputy Commissioner who cannot be on the spot.
	(5) If any person duly elected at any such election declines to take office, the person, if any, amongst the unsuccessful candidates in whose favour the highest number of votes has been recorded and who is willing to take office shall be deemed to be the member elected.	
14. (1) [**Any person qualified to vote** at an election may,] at any time within fifteen days after the date of the declaration of the result of an election or the date of [an order or proceeding, apply] to the District Judge of the District within which the election has been or should have been held, for the determination of the validity of the election or the legality of the order or proceeding in question.	14. (1) At any time within fifteen days after the declaration of the result of an election or the date of [the order or proceeding under Section 13, any **candidate** who stood for election or any **ten persons qualified to vote** at that election, may apply, together with a **deposit of fifty rupees** as security for costs,] to the District Judge of the District within which the election has been or should have been held, for the determination of the validity of the election or the legality of the order or proceeding in question. **Determination of validity of elections; enquiry by Judge; Procedure.**	It is desirable to restrict the right to question an election or an order under Section 13 to only a candidate or to 10 voters jointly, in order that only cases where a real grievance exists may be taken up to Court. In furtherance of the same object and to secure payment of the expenses of the opposite side, a deposit of Rs. 50 as security for costs, is also provided for; other Regulations have a similar provision.
14. (2) An enquiry shall thereupon be held by the District Judge who may, after such enquiry as he deems necessary, pass an order confirming or amending the declared result of the election or the order of the Deputy Commissioner or [some] other officer empowered in this behalf under Section 13 or setting the election aside. For the purposes of the said enquiry, the said Judge may exercise any of the powers of a Civil Court. He may also award costs in such manner as he may deem fit and such costs shall be recoverable as if they had been awarded in a suit under the Code of Civil Procedure and his decision shall be conclusive. If he sets aside an election, [a date shall forthwith be fixed, and the necessary steps will be taken for holding a fresh one.]	14. (2) An enquiry shall thereupon be held by the District Judge who may, after such enquiry as he deems necessary, pass an order confirming or amending the declared result of the election or the order of the Deputy Commissioner or other officer empowered in this behalf under Section 13, or setting the election aside. For the purposes of the said enquiry, the said Judge may exercise any of the powers of a Civil Court. He may also award costs in such manner as he may deem fit and such costs shall be recoverable as if they had been awarded in a suit under the Code of Civil Procedure and his decision shall be conclusive. If he sets aside an election, [he shall forthwith communicate the fact to the Deputy Commissioner who shall take the necessary steps for holding a fresh election.]	Provision is made for a communication of the decision of the District Judge to the Deputy Commissioner, in order to enable the latter to take immediate steps, if necessary, for a fresh election.

Clause 14—sub-clause (6).—Proviso.

Provided that such person may, [by an order of the Government in that behalf, be at any time relieved from such disqualification.]

15. Any person who has been disqualified from being a member under the last preceding section, shall, [for the period for which the disqualification is to last,] be disqualified from voting at any election to a District Board.

16. The names of all members finally elected to any District Board, as well as the names of the nominated members and the official designations of the *ex-officio* members, if any, appointed thereto shall be published, [as soon as conveniently may be,] in the Official Gazette.

[17. (2) When an office has been notified under clause (*b*) of sub-section (1), the person from time to time executing the functions of that office shall be and shall continue to be President, unless and until such notification is altered or rescinded by the Government, or until his term as member expires.]

17. [(4) If and whenever the Government so directs,] there [shall] be a Vice-President for a District Board elected by the members from among their own number.

[18. (3) Every President other than an *ex-officio* President and every Vice-President of a District Board shall reside at the District headquarters of the District for which the Board has been established.]

19. The President of a District Board shall—

Clause 14—sub-clause (6).—Proviso.

Provided that such person may, [at any time be relieved from such disqualification by an order of the Government in that behalf.]

15. Any person who has been disqualified [for any period] from being a member under the last preceding section, shall [also] be disqualified from voting at any election to a District Board [for the same period.]

16. The names of all members finally elected to any District Board, as well as the names of the nominated members and the official designations of the *ex-officio* members, if any, appointed thereto, shall be published in the Official Gazette.

Omitted.

17. [(3)] There [may] be a Vice-President for a District Board elected by the members from among their own number, [unless the Government otherwise directs.] Vice-Presidents.

Omitted.

19. The President of a District Board shall— Functions of Presidents.

A mere transposition of some words. Calls for no remarks.

Slightly re-cast, without affecting the sense. Calls for no remarks.

The words 'as soon as conveniently may be' are omitted as unnecessary.

This sub-clause is omitted, because the Vice-President, whenever there is one, is empowered under clauses 21 (*a*) and 29 (2) (*e*) to preside during the absence of the President, and where there is no Vice-President, a Chairman can be elected to preside under clause 29 (2) (*e*) and as the Government have decided in G. O. No. 11113-20—L. B. 4-19-98, dated the 6th April 1921, that when an officer is President by virtue of his office and another officer takes charge of the office during casual vacancies without a notification, the latter officer cannot preside.

It is not desirable to curtail existing rights. Under the existing law, no direction from Government is necessary to have a Vice-President. This is retained, in place of the sub-clause in the Bill which takes away the option from the District Boards.

It is necessary to remove this restriction as it will come in the way of the appointment or election of suitable and desirable candidates who live within easy distance of headquarters and can attend to the work and there is provision to remove a President, if he neglects his work.

Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
(*d*) furnish to the Deputy Commissioner a copy of every resolution passed at every meeting of the Board and any extract from the minutes of the proceedings of the Board or other document or thing which the Government or the Deputy Commissioner may from time to time call for under Sections 92 and 93.	(*d*) furnish to [the Government through] the Deputy Commissioner, a copy of every resolution passed at every meeting of the Board and any extract from the minutes of the proceedings of the Board, or other document or thing which the Government or the Deputy Commissioner may, from time to time, call for under Sections 92 and 93.	Re-cast so as to conform to the present practice.
20. The President of a District Board may in cases of emergency direct the execution * * *	20. [(1) **Any powers or duties or executive functions** which may be exercised or performed by or on behalf of the District Board **may be delegated**, in accordance with rules to be made by the Government in this behalf, to the President or to the Vice-President, or to the Chairman of the Standing, Economic, Public Health or other Committee, or to one or more stipendiary or honorary officers, but without prejudice to any powers that may be exercised or may have been conferred on a Chief Officer under Section 87 or any committee by or under Sections 31, 32, 33 and 34; and each person, who exercises any power or performs any duty or function so delegated, may be paid all expenses necessarily incurred by him therein.]	Powers, duties and functions may be delegated to officers whose expenses may be paid. Provision is made for the delegation of the powers that may be exercised or the duties that may be performed by the District Board to the President or the Vice-President or other officer or officers and such officers have to be paid the expenses necessarily incurred by them.
	[(2).] The President of a District Board may in cases of emergency direct the execution * * *	Emergency powers of President. This is the existing clause re-numbered as sub-clause (2).
26. (1) Any member of a District Board who, during the term for which he has been elected or appointed,	26. (1) Any member of a District Board who, during the term for which he has been elected or appointed,	Disqualification of member after election.
* * * *	* * * *	
(*c*) is absent for more than four consecutive months from the District for which the Board is established, unless leave so to absent himself, which shall not exceed six months, has been granted by the Board, or absents himself [for six] consecutive [months from] meetings of the Board without the leave of the Board, shall cease to be a member and his office shall become vacant.	(*c*) is absent for more than four consecutive months from the District for which the Board is established, unless leave so to absent himself, which shall not exceed six months, has been granted by the Board, or absents himself [from three] consecutive meetings of the Board without the leave of the Board, shall cease to be a member and his office shall become vacant.	The Board ordinarily meets once in three months. It is desirable to fix absence with reference to meetings held. Three meetings is the limit fixed in the Municipal Regulation and is adopted here also.
28. (2) In the event of a vacancy occurring on account of death, resignation, disqualification or removal of a member of a District Board previous to the expiry of his term of office, the vacancy shall be filled up, [as soon as conveniently may be,] by the election or appointment, as the case may be, of a person thereto, who shall hold office so long only as the member in whose place he is elected or appointed would have held it if the vacancy had not occurred.	28. (2) In the event of a vacancy occurring on account of death, resignation, disqualification or removal of a member of a District Board previous to the expiry of his term of office, the vacancy shall be filled up by the election or appointment, as the case may be, of a person thereto, who shall hold office so long only as the member in whose place he is elected or appointed would have held it if the vacancy had not occurred.	Casual vacancies how to be filled up. The words "as soon as conveniently may be" are omitted, as unnecessary.

29. (2) (*a*) The date of the first meeting of the Board after reconstitution shall be fixed by the Deputy Commissioner and the [dates of the] subsequent quarterly [meetings] shall be fixed at the previous meeting of the Board; [but] the President may, whenever he thinks fit, and shall, upon the written request of not less than one-fourth of the members and for a date within twenty-one days from the receipt of such request, call a special meeting. When the President [and] Vice-President [are] unable or [fail] for any reason to call a meeting, the Deputy Commissioner may exercise the powers of a President for that purpose.

29. (2) (*b*) [Twenty-one] clear days' notice of a quarterly meeting and [fourteen] clear days' notice of a special meeting, specifying the time and place at which such meeting is to be held and the business to be transacted thereat, shall be [circulated] to the members and posted up at the District Board Office. Such notice shall include in the case of a special meeting, any motion or proposition mentioned in [any] written request made for such meeting.

29. (2) (*c*) [If less than one-third of the whole number of members be present at a meeting at any time from the beginning to the end thereof, the presiding authority shall adjourn the meeting to such hour on the following or some other future day as he may reasonably fix; a notice of such adjournment shall be fixed up in the District Board Office and the business which would have been brought before the original meeting, had there been a quorum thereat, shall be brought before the adjourned meeting and may be disposed of at such meeting or at any subsequent adjournment thereof, whether there is a quorum present or not.]

29. (2) (*f*) All questions shall,

* * * * *

be decided by a majority of votes of the members present,

events have determined within six months of the occurrence of such vacancy.]

29. (2) (*a*) The date of the first meeting of the Board after reconstitution shall be fixed by the Deputy Commissioner, and the [date of each] subsequent quarterly [meeting] shall be fixed at the previous meeting of the Board, [provided that the President may, for sufficient reasons, alter the day of the meeting to a subsequent date.] The President may, whenever he thinks fit, and shall, upon the written request of not less than one-fourth of the members and for a date within twenty-one days from the receipt of such request, call a special meeting. [Such request shall specify the object for which a meeting is proposed to be called.] When the President [or in his absence the] Vice-President, [is] unable or [fails] for any reason to call a meeting, the Deputy Commissioner may exercise the powers of a President for that purpose.

29. (2) (*b*) [Fourteen] clear days' notice of a quarterly meeting and [ten] clear days' notice of a special meeting, specifying the time and place at which such meeting is to be held and the business to be transacted thereat, shall be [sent] to the members and posted up at the District Board Office. Such notice shall include in the case of a special meeting any motion or proposition mentioned in [the] written request made for such meeting.

29. (2) (*c*) [One-third of the whole number of members of the District Board shall form a quorum for transacting business at a meeting of the Board. **If, at the time appointed** for the meeting, **or within half an hour thereafter, a quorum is not present, the presiding authority shall adjourn** the meeting to such hour on some future day as he may reasonably fix. He shall similarly adjourn the meeting at any time after it has begun **if attention is drawn to the want of a quorum**. At such adjourned meeting the business which would have been brought before the original meeting shall be transacted, whether there is a quorum present or not, **provided that not less than five members are present.**]

29. (2) (*f*) All questions shall,

* * * * *

be decided by a majority of votes of the members present [and voting,]

The clause is recast to allow the President to alter the date of a meeting to a subsequent date. In practice, this is done, but there is no provision for it. It is also provided that whenever a special meeting is wanted, the objects for which the meeting is to be called should be specified.

Ten days for an ordinary and six days for a special meeting is the period now required. While this is too short, the proposed period of 21 and 14 days seems too long. Hence the change.

"Circulated" would necessitate the same paper being sent to each member, which would mean undue delay. It is changed to "sent".

It is made clear that the President may adjourn a meeting if no quorum is present at the time appointed for the meeting or within half an hour thereafter. The provision in the Bill is vague on this point. The quorum is also fixed. For an adjourned meeting no quorum is necessary, but the minimum number to transact business is fixed at 5 to prevent only two or three members disposing of what may be important matters.

Some of the members present may not choose to vote. Hence, it is necessary to add the words "and voting".

353

Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
29. (2) (*h*) If the presiding authority is believed by [the members] present at the meeting to have any such pecuniary interest in any matter under discussion, [he may,] if a motion to that effect be carried, [be required to absent himself from the meeting during] such discussion.	29. (2) (*h*) If the presiding authority is believed by [any member] present at the meeting to have any such pecuniary interest in any matter under discussion, [and] if a motion to that effect be carried, [he shall not preside at the meeting during such discussion, or vote on, or take part in it. Any member of the Board may be chosen or elected to preside at the meeting during the continuance of] such discussion.	The clause is recast so as to permit any member present to take objection to the presiding authority on the ground of pecuniary interest in the matter under discussion. The presiding authority need not absent himself, though he cannot take part in the discussion, or vote or preside. Provision is also made to choose somebody else to preside, as para (*e*) of the sub-clause does not provide for all cases that may arise, *e.g.*, where objection is taken to a Chairman who is selected under para (*e*) in the absence of the President and Vice-President.
29. (2) (*k*) No resolution of a District Board shall be modified or cancelled within [three] months after the passing thereof, except by a resolution [supported] by not less than one half of the whole number of members [and passed] at a quarterly or special meeting, [whereof] notice shall have been given fulfilling the requirements of clause (*b*) and setting forth fully the resolution which it is proposed to modify or cancel at such meeting and the motion or proposition for the modification or cancellation of such resolution.	29. (2) (*k*) No resolution of a District Board shall be modified or cancelled within [six] months after the passing thereof, except by a resolution [passed] by not less than one half of the whole number of members at a quarterly or special meeting, notice [whereof] shall have been given fulfilling the requirements of clause (*b*) and setting forth fully the resolution which it is proposed to modify or cancel at such meeting and the motion or proposition for the modification or cancellation of such resolution.	A District Board meets once in three months ordinarily. As the clause stands in the Bill, a resolution at one meeting can be cancelled at the very next meeting, which is not desirable. The period is raised to six months. The other change is intended to remove any possibility of doubt and to make it clear that a resolution of the Board can be cancelled by a subsequent resolution only when it is passed by not less than half the number of members.
29. (4) A copy of every resolution passed by a District Board at a meeting shall, within ten days from the day of the meeting, be forwarded to the Deputy Commissioner, [who shall submit the same to the Government with his remarks, if any,] and the Government may pass such orders thereon as it may think proper.	29. (4) A copy of every resolution passed by a District Board at a meeting shall, within ten days from the day of the meeting, be forwarded to [Government through] the Deputy Commissioner and the Government may pass such orders thereon as it may think proper.	Recast so as to conform to the present practice.
30. (2) A member of a District Board may move resolutions and interpellate the President on matters connected with	30. (2) A member of a District Board may move resolutions and interpellate the President on matters connected with	The last six words are struck out as unnecessary, in view of the fact that the

31. (1) Every District Board shall appoint a Standing Committee consisting of [such number of members not being] more than seven and not less than five as the Board may determine.

31. (3) The President of the District Board shall be *ex-officio* [member and] Chairman of the Standing Committee [in addition to the members appointed under sub-section (1).]

32. (2) It shall be lawful [to] the District Board to appoint as [a member] of the said Committee any [person] of either sex who [is not a member] of the Board, but who may, in the opinion of the Board, possess special qualifications for serving on the Committee.

[32. (3) It shall also be lawful for the District Board to appoint temporarily additional members of either sex, whenever necessary, for the consideration of any particular subject or subjects.]

33. (1) Every District Board may appoint a Public Health Committee consisting of such members of the Board as the Board may elect. The [said members may co-opt] the District Medical Officer of the District [or] any Medical or Sanitary Officer of the Government [or] a legally qualified Medical Practitioner to be a member of the Committee [for a period not exceeding the term of their own office.]

35. The Principal Sanitary Officer and the Principal Medical Officer of the District, the Senior Surgeon [and] Sanitary Commissioner, the Veterinary Superintendent and the Assistant Veterinary Superintendent, the Live-Stock Expert, the Director of Agriculture, the Deputy Director and Assistant Director of Agriculture, the Executive Engineer, the District Inspector of Schools and the Registrar and Assistant Registrar of Co-operative Societies shall, if they be not already members, be entitled to attend any meeting of a District Board or of any Committee thereof, and to address such Board or Committee on any matter under discussion affecting their respective departments and shall furnish their advice in such matters whenever called upon to do so.

31. (1) Every District Board shall appoint a Standing Committee consisting of [the President, the Vice-President, if any, and other members of the Board. The total number of members of such Standing Committee shall not be] more than seven and not less than five as the Board may determine.

Standing Committee.

31. (3) The President of the District Board [and in his absence the Vice-President,] shall be *ex-officio* Chairman of the Standing Committee.

32. (2) It shall be lawful [for] the District Board to appoint as [members] of the said Committee, any [persons] of either sex, who [are not members] of the Board, but who may, in the opinion of the Board, possess special qualifications for serving on the Committee. [Such persons may be appointed to the said Committee either during the term of the said Board or temporarily for the consideration of a particular subject or subjects.]

33. (1) Every District Board may appoint a Public Health Committee consisting of such members of the Board as the Board may elect. The [District Board may appoint, for a term not exceeding its term of office, one or more of the following, namely,] the District Medical Officer of the District, any Medical or Sanitary Officer of the Government, a legally qualified Medical Practitioner, to be a member [or members] of the [said] Committee.

Public Health Committee.

35. The Principal Sanitary Officer and the Principal Medical Officer of the District, the Senior Surgeon, [the] Sanitary Commissioner, the Veterinary Superintendent and the Assistant Veterinary Superintendent, the Live-Stock Expert, the Director of Agriculture, the Deputy Director and Assistant Director of Agriculture, [the Director and Assistant Director of Industries,] the Executive Engineer, the District Inspector of Schools and the Registrar and Assistant Registrar of Co-operative Societies shall, if they be not already members, be entitled to attend any meeting of a District Board or of any Committee thereof, and to address such Board or Committee on any matter under discussion affecting their respective departments and shall furnish their advice in such matters whenever called upon to do so.

Certain Government officers entitled to attend and speak and District Boards may require officers to furnish advice.

The presence of the President, and the Vice-President, if any, appears to be desirable, if not necessary, on the Standing Committee; and the number including them should not exceed seven. Hence the change.

This is to provide for the Vice-President stepping into the place of the President during his absence.

There is no apparent difference between sub-clauses (2) and (3) unless it be regarding their term. The two are combined into a single sub-clause, bringing out also the nature of their appointment.

Recast to provide for more than one of such officers being appointed and for the Board making the appointments instead of the committee.

Director and Assistant Director of Industries are added to the list, as the District Board may sometimes deal with matters connected with that department.

Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
41. No act of a District Board or of any Committee or of any person acting as a member or as a President, Vice-President, or Chairman shall be deemed to be invalid by reason only of some defect in the appointment of such Board, Committee, President, Vice-President, Chairman or member or on the ground that they or any of them were disqualified for such office, or that formal notice of the intention to hold a meeting of the Board or Committee was not duly given or by reason of such act having been done during the period of any vacancy in the office of the President, Vice-President, or member of such Board or Committee or for any other such [mere] informality.	41. No act of a District Board, or of any Committee, or of any person acting as a member or as a President, Vice-President, or Chairman, shall be deemed to be invalid by reason only of some defect in the appointment of such Board, Committee, President, Vice-President, Chairman or member, or on the ground that they, or any of them, were disqualified for such office, or that formal notice of the intention to hold a meeting of the Board or Committee was not duly given, or by reason of such act having been done during the period of any vacancy in the office of the President, Vice-President, or member of such Board or Committee, or for any other such informality.	Acts of Boards, etc., not to be invalidated.
		The word "mere" is struck out as unnecessary.
44. Every road, building or other work constructed by a District Board from the District Fund shall be vested in the Board by which it has been constructed.	44. Every road, building or other work constructed by a District Board from the District Fund shall be vested in the Board by which it has been constructed. [Provided that such portion of a **District Board road** as may lie **within the area of a Municipality shall vest in the Municipal Council** of such Municipality.]	Works constructed by District Board to be vested in it.
		The proviso is added in order to avoid a conflict with Section 50 of the Municipal Regulation which vests all roads within the limits of a Municipality in the Municipal Council.
45. (1) Every District Board shall, so far as the funds at its disposal will permit, [but] subject to such exceptions and conditions as the Government may from time to time make and impose, undertake the control and administration of and be responsible for the following matters within the area subject to its authority :—	45. (1) Every District Board shall, so far as the funds at its disposal will permit, [and] subject to such exceptions and conditions as the Government may from time to time make and impose, undertake the control and administration of, and be responsible for, the following matters within the area subject to its authority :—	Duties of the District Board.
(*a*) Construction, repair and maintenance of public roads and other means of communication ;	(*a*) Construction, repair and maintenance of public roads and other means of communication [which are **not under the Control of any other local body or of Government** ;]	In the area under the control of the District Board, there may be roads, etc., which are under the control and management of Government or other local bodies. The District Board is not responsible for such roads, etc.
(*b*) planting and preservation of trees on the sides of roads and on other public ground ;	(*b*) planting and preservation of trees on the sides of roads and on other public ground [**in its control** ;]	It is only in respect of roads and public grounds under its control that a District Board can be called upon to plant and preserve trees.
(*c*) * * *	(*c*) * * *	
(*d*) Construction and repair of public wells, tanks and water works, supply of water from them and from other sources and preservation from pollution of water for drinking and cooking purposes ;	(*d*) construction and repair of public wells, tanks and water works [which serve **more than one Village Panchayet**,] supply of water from them and from other sources, and preservation from pollution of water for drinking and cooking purposes ;	Upkeep of wells, tanks, etc., serving villages under different Panchayets and carrying out of measures and services affecting such villages should fall within the scope of the duties of District Boards.

[(*i*) encouragement and development of Co-operative Societies;]		This is transferred to discretionary duties under sub-clause (2) of the clause.
[(*j*)] payment of [expenses of maintenance and treatment of persons] undergoing anti-rabic treatment subject to the general or special orders of the Government;	Omitted ... ...

Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
54. (1) All markets, slaughterhouses and cart-stands constructed and maintained out of the District Funds shall be deemed to be public markets, public slaughterhouses and public cart-stands, respectively, and no public market shall be opened by a District Board without the previous sanction of the Government.	54. (1) All markets, slaughterhouses and cart-stands constructed and maintained out of the District Funds, shall be deemed to be public markets, public slaughterhouses and public cart-stands, respectively, and no public market shall be opened by a District Board without the previous sanction of the Government. Markets, slaughter-houses and cart-stands.	
(2) No [private] person shall continue to keep open a [private] market, slaughterhouse [or] cartstand [lawfully] established prior to the commencement of this Regulation, unless he obtains from the District Board a license in writing to do so.	(2) No person shall continue to keep open a market, slaughterhouse, [public] cart-stand [or public ferry] established prior to the commencement of this Regulation, unless he obtains from the District Board a license in writing to do so.	(2) Public ferries should also be included in this sub-clause. So far as cart-stands and ferries go, there is no reason why they should be licensed, if they are kept for private use. When they are public and fees are charged, they should be licensed. Necessary changes have been made. The word "private" is omitted in several places as it conveys no clear meaning.
(3) Except as provided in sub-section (2), no person shall after the commencement of this Regulation, open or keep open a [private] market, slaughterhouse [or] cart-stand.	(3) Except as provided in sub-section (2), no person shall, after the commencement of this Regulation, open or keep open a market, slaughterhouse, [public] cart-stand [or public ferry.]	
(4) No person shall sell or expose for sale any article or animal in any unlicensed [private] market.	(4) No person shall sell or expose for sale any article or animal in any unlicensed market.	
56. (1) All applications for licenses and permissions under this Regulation may be disposed of by the President of the District Board; [but when a license is refused, the person aggrieved by his order shall have the right of appeal to the District Board whose decision shall be final:]	56. (1) All applications for licenses and permissions under this Regulation may be disposed of by the President of the District Board [who may suspend or cancel a license granted for default of any of the conditions subject to which it was issued or given. When a license is granted, refused, suspended or cancelled by the President, any person aggrieved by his order shall have the right of appeal to the District Board.] Licenses	The proper place for the suspension or cancellation of a license is in sub-clause (1) and not sub clause (2) and the right of appeal should not be confined to cases where a license is refused, but should be given when a license is granted, suspended or cancelled. Sub-clauses (1) and (2) are re-cast accordingly.
(2) A license under this Regulation shall be granted only on payment in advance of a fee at such rates as may be prescribed [and it shall be lawful for the President to suspend a license granted for default of any of the conditions subject to which it was issued.]	(2) A license under this Regulation shall be granted only on payment in advance of a fee at such rates as may be prescribed.	
(3) Whoever keeps open or uses, without a license or [during the suspension of a license,] any place for any purpose for which a license is required under this Regulation shall be punished with fine which may extend to [50] rupees [and with further fine which may extend to 10 rupees for every day on which such use is continued after the date of first conviction.]	(3) Whoever keeps open or uses, without a license or [after a license is suspended or cancelled,] any place for any purpose for which a license is required under this Regulation, shall be punished, [on conviction by a Magistrate,] with fine which may extend to [one hundred] rupees. [He may also be punished with further fine which may extend to twenty-five rupees for every day on which such act is continued after the date of conviction, **or any subsequent date as may be fixed by the Magistrate.**]	There may be cases where the fine inflicted may not act as a deterrent. The profits realised by continuing to use a place without a license may be more than the fine. Hence the limits of the fine are increased to Rs. 100 and Rs. 25. The Magistrate should have the discretion to allow some time to the party to disconti-

(vii) otherwise for the due discharge of their duty by farmers and ferrymen and other persons employed at a public ferry.

Nil ... ...

Nil ... ...

58. A District Board may direct any prosecution for any public nuisance whatever, and may order proceedings to be taken for the recovery of any [penalties,] and for the punishment of any persons offending against the provisions of this Regulation, or of any bye-law thereunder, and may order the expenses of such prosecution or other proceedings to be paid out of the District Fund;

60. (c) Compound any offence against this Regulation or [against] any bye-law made thereunder.

Nil

62. (2) It shall be lawful for a District Board to deposit at interest with the Mysore Government Savings Bank or with the sanction of the Governement in any Bank in Mysore, any surplus funds in its hands which may not be required for current charges and with the like sanction invest such funds in securities of the Government of India or of the Government of Mysore or such other securities as the Government may, from time to time, approve in this behalf, and vary such investment [with like sanction] or dispose of such securities with the like sanction.

65. Expenditure by a District Board out of the District Fund shall, save as otherwise provided by this Regulation, be made within the area subject to its authority only, but may, with the sanction of the Government be made outside that area for any of the purposes mentioned in this Regulation.

(vii) otherwise for the due discharge of their duty by farmers and ferrymen and other persons employed at a public ferry; [and]

[57. (1) (i) **generally for carrying out the purposes of this Regulation.**]

[57. (2) Any **person infringing any bye-laws** made under this Regulation shall, on conviction before a Magistrate, **be punished** with fine not exceeding fifty rupees for each offence, and in case of a continuing offence, with a further fine not exceeding ten rupees for each day after written notice of the offence by the District Board.]

District Board may prosecute.

58. A District Board, [or any Officer or Committe of the Board authorised by the Board,] may direct any prosecution for any public nuisance whatever, and may order proceedings to be taken for the recovery of any [penalty,] and for the punishment of any persons offending against the provisions of this Regulation, or of any bye-law thereunder, and may order the expenses of such prosecution or other proceedings to be paid out of the District Fund:

60. (1) (c) Compound any offence against this Regulation or any bye-law made thereunder, [which, under any enactment for the time being in force, may lawfully be compounded.]

[60. (2) **Sums paid by way of composition** under this section shall be **credited to the District fund.**]

62. (2) It shall be lawful for a District Board to deposit at interest with the Mysore Government Savings Bank or with the sanction of the Government in any Bank in Mysore, any surplus funds in its hands which may not be required for current charges and with the like sanction invest such funds in securities of the Government of India or of the Government of Mysore or such other securities as the Government may, from time to time, approve in this behalf, and vary such investment or dispose of such securities with the like sanction.

District Fund where to be expended.

65. Expenditure by a District Board out of the District Fund shall, save as otherwise provided by this Regulation, be made within the area subject to its authority only, but may, with the sanction of the Government, be made outside that area for any of the purposes mentioned in this Regulation.

A general power to make bye-laws is necessary. Hence the addition.

This is another ommission in clause 57 which is rectified. Otherwise bye-laws may be infringed with impunity.

Any Officer or Committee empowered by the Board may be authorised to order prosecution. It will be inconvenient in practice otherwise.

Certain offences may not be compoundable. Hence the addition.

Calls for no remarks.

The words "with like sanction" are omitted as redundant.

Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
But nothing herein contained shall be deemed to require the special sanction of the Government for payment of the following charges :—	But nothing herein contained shall be deemed to require the special sanction of the Government for payment of the following charges :—	
(*a*) for audit of accounts of the District Boards ;	(*a*) for audit of accounts of the District Boards ;	
(*b*) for [maintenance and treatment] of persons undergoing anti-rabic treatment at rates approved by the Government ;	(*b*) for [the payment of travelling allowances] of persons undergoing anti-rabic treatment at rates approved by the Government ;	District Boards pay only the travelling allowance now and hence the change.
(*c*) for other charges expressly required or authorised to be incurred from the District Fund by any law in force or rule or order made by the Government.	(*c*) for other charges expressly required or authorised to be incurred from the District Fund by any law in force or rule or order made by the Government [in conformity with the provisions of this Regulation.]	The last eight words are added to safeguard the interests of the Boards. Expenses which are not contemplated by the Regulation may otherwise fall on them.
66. (4) Exemptions from payment of tolls shall be regulated by the rules [to be] prescribed by the Government in this behalf.	66. (5) Exemptions from payment of tolls shall be regulated by the rules prescribed by the Government in this behalf.	No remarks.
66. (5) No more than one payment of toll shall be demanded at any toll gate, station or bridge in respect of any carts, carriages, vehicles or animals in any one period of 24 hours counted from sunrise to sunrise provided that when toll has been paid at any toll gate, station or bridge in respect of any carts, carriages, vehicles or animals not laden or [unridden,] the difference between such [tolls and the tolls] payable in respect of such carts, carriages, vehicles or animals laden or ridden shall be payable if such carts, carriages, vehicles or animals again pass through such toll gate, station or bridge, laden or ridden within such period.	66. (5) No more than one payment of toll shall be demanded at any toll gate, station, or bridge [in the District] in respect of any carts, carriages, vehicles or animals in any one period of 24 hours counted from sunrise to sunrise. Provided that when toll has been paid at any toll gate, station or bridge in respect of any carts, carriages, vehicles or animals not laden or [ridden,] the difference between such [toll and the toll] payable in respect of such carts, carriages, vehicles or animals laden or ridden, shall be payable, if such carts, carriages, vehicles or animals again pass through such toll gate, station or bridge, laden or ridden within such period.	Exemption from payment of toll a second time within 24 hours should be confined to the District in which the first payment has been made. "unridden" is wrong. It should be "ridden". "Tolls" should be "toll".
66. (8) Whoever not being duly authorised to collect tolls levies or demands any toll on any public road or bridge, or whoever duly authorised to collect tolls, demands more than the rates authorised, shall be liable, on conviction before a Magistrate, to a fine not exceeding Rs. 200 or to simple or rigorous imprisonment not exceeding six [calendar] months.	66. (8) Whoever, not being duly authorised to collect tolls, levies or demands any toll on any public road or bridge, or whoever, duly authorised to collect tolls, demands [or levies] more than the rates authorised, shall be liable, on conviction before a Magistrate, to a fine not exceeding Rs. 200 or to simple or rigorous imprisonment not exceeding six months.	The insertion of the word "levies" after "demands" appears to be necessary to cover all cases. "Months" means "Calendar months" as defined in the General clauses Regulation. Hence the word "calendar" is omitted.
66. (9) [In the case of non-payment of] any toll on demand, the person duly authorised to collect the same may seize any of the carts, carriages, vehicles or animals on which it is chargeable or any part of their burden of sufficient value	66. (9) [If a person refuses to pay] any toll on demand [and passes through a toll-gate or station,] the person duly authorised to collect the same may seize any of the carts, carriages, vehicles or animals on which it is chargeable or any part of their burden	By the change it is made clear that it is only after a person passes through a toll gate, etc., that his goods, etc., can be seized and not merely on his refusing to

57. (1) The District Board may, from time to time with the sanction of the Government, make bye-laws and cancel or alter the same so as not to be repugnant to any law in force :—

(*a*) for the general or special regulation, inspection, control of musafirkhanas, travellers' bungalows, rest-houses, cart-stands, markets, slaughterhouses, hotels, bakeries, sweet-meat shops, all other places used for the sale of articles intended for human food or drink, all places used [by or] for animals which are for sale or hire or the produce of which is sold, all places used for the purposes specified in Schedule II and for regulating the conduct of business in any of the places aforesaid so as to secure cleanliness therein and the wholesomeness of the articles prepared, kept or sold or to minimise any injurious, offensive or dangerous effects arising or likely to arise therefrom ;

57. (1) (*b*) (*ii*) for empowering the President or any other person authorised by [him] to enter and inspect any building or land and to require that it shall be kept in a [proper state for] sanitary [reasons ;]

57. (1) (*c*) (*iii*) for setting apart, with the consent of the owner in the case of private sources of water-supply and of the Government in the case of those under the control of the Government, for a specified purpose, springs, tanks, wells, water courses and other places and prohibiting [the use of such courses] for any any other purpose or purposes ;

57. (1) (e) (ii) for prohibiting the use of any source of water-supply, whether private or public, during [the] epidemics;

57. (1) (e) (iii) providing for the inspection of persons travelling by railway or otherwise, and the segregation in hospital, [temporary accommodation or otherwise] of persons suspected of being infected with any epidemic disease, or for such other measures as may be deemed necessary to prevent the outbreak of such disease or the spread thereof ;

57. (1) (e) (iv) for empowering the President or any person duly appointed by [him] to enter into any building or premises in which any dangerous infectious disease is reported or suspected to exist, to require the owner or occupier of

time to time, [and subject to such rules as may be prescribed by Government in this behalf and] with the sanction of the Government, make bye-laws not repugnant to any law in force—

District Board's power to make bye-laws.

spection, [and]

(*a*) for the general or special regulation, inspection, control of musafirkhanas, travellers' bungalows, rest-houses, cart-stands, markets, slaughter-houses, hotels, bakeries, sweet-meat shops, all other places used for the sale of articles intended for human food or drink, all places used for animals which are for sale or hire or the produce of which is sold [and] all places used for the purposes specified in Schedule II, and for regulating the conduct of business in any of the places aforesaid so as to secure cleanliness therein and the wholesomeness of the articles prepared, kept or sold or to minimise any injurious, offensive or dangerous effects arising or likely to arise therefrom ;

57. (1) (*b*) (*ii*) for empowering the President or any person authorised by [the **Board**] to enter and inspect any building or land and to require that it shall be kept in a sanitary [condition ;]

57. (1) (*c*) (*iii*) for setting apart, with the consent of the owner in the case of private sources of water-supply, and of the Government in the case of those under the control of the Government, for a specified purpose, springs, tanks, wells, water courses and other places, and prohibiting [their use] for any other purpose or purposes ;

57. (1) (*e*) (ii) for prohibiting the use of any source of water-supply, whether private or public, during epidemics ;

57. (1) (e) (iii) providing for the inspection of persons travelling by railway or otherwise, and the segregation in [a] hospital [or any other place set apart for the purpose,] of persons suspected of being infected with any epidemic disease, or for such other measures as may be deemed necessary to prevent the outbreak of such disease or the spread thereof ;

57. (1) (e) (iv) for empowering the President or any person duly appointed by [the Board] to enter into any building or premises in which any dangerous infectious disease is reported or suspected to exist, to require the owner or occupier of such

The necessary formalities such as notice, publication of bye-laws, etc., to be observed before framing of bye-laws have not been indicated. This omission is rectified by giving power to Government to frame rules in this behalf.

Verbal changes calling for no remarks.

The Board should have the power to authorise any person to enter and inspect and not the President. The other change is merely verbal.

Verbal change calling for no remarks.

Calls for no remarks.

Verbal changes to make the meaning clear.

The Board should have the power and not the President.

Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
such building or premises to cleanse or disinfect the same or, [in immediate or] necessary [cases,] to have such building or premises cleansed or disinfected and to recover the whole or any part of the expenses so incurred from such owner or occupier or to remit the same in deserving cases;	building or premises to cleanse or disinfect the same or, [where immediate action is] necessary, to have such building or premises cleansed or disinfected and to recover the whole or any part of the expenses so incurred from such owner or occupier or to remit the same in deserving cases;	Verbal change.
57. (1) (e) (v) for requiring that articles of clothing or bedding or other articles exposed to infection from dangerous infectious diseases [to] be washed or disinfected at places notified by the District Board; and destroying such articles as are likely to retain infection and paying compensation for articles so destroyed;	57. (1) (e)[2] (v) for requiring that articles of clothing or bedding or other articles exposed to infection from dangerous infectious diseases be washed or disinfected at places notified by the District Board; and [for] destroying such articles as are likely to retain infection and paying compensation for articles so destroyed;	Verbal change.
57. (1) (*f*) for regulating the use of public roads and the traffic thereon; and for securing cleanliness, safety and order in respect of the same;	57. (1) (*f*) for regulating the use of public roads and the traffic thereon; [for the temporary occupation or use of public roads and lands vested in the Board;] and for securing cleanliness, safety and order in respect of the same;	There is no power to make bye-laws for the temporary occupation or use of roads and lands vested in the Board under clause 51. This is rectified.
57. (1) (*g*) for defining the conditions on or subject to which and the circumstances in which and the areas or localities in respect of which any [licenses or permissions] under this Regulation may be granted, refused, suspended or withdrawn and fixing the fees payable in respect of [licenses or permissions] and the rents, fees and other charges to be levied for the use of any of the places specified in clause (*a*) or other property belonging to the District Board;	57. (1) (*g*) for defining the conditions on or subject to which and the circumstances in which and the areas or localities in respect of which any [license or permission] under this Regulation may be granted, refused, suspended or withdrawn and fixing the fees payable in respect of [such permission] and the rents, fees and other charges to be levied for the use of any of the places specified in clause (*a*) or other property belonging to the District Board;	Verbal changes. "Licenses" are omitted as fees for licenses are also prescribed under clause 56.
57. (1) (h) for providing for— (i) the establishment of public ferries and their management; (ii) the issue of [permissions] for plying ferry boats, the conditions on or subject to which such [permissions] may be granted and the fees payable in respect of such [permissions;] (iii) the rates of fees that may be levied on passengers, vehicles, animals, goods or the loads that may be carried in any public ferry boat [at one trip;] (iv) the safe, speedy and convenient carriage and landing of passengers and property; (v) the maintenance of ferry boats in good order and the emploment of competent men for [rowing] them; (vi) the inspection of the ferries and the ferry boats; and	57. (1) (h) for providing for— (i) the establishment of public ferries and their management; (ii) the issue of [permission] for plying ferry boats, the conditions on or subject to which such [permission] may be granted and the fees payable in respect of such [permission;] (iii) the rates of fees that may be levied on passengers, vehicles, animals, goods or the loads that may be carried in any public ferry boat; (iv) the safe, speedy, and convenient carriage and landing of passengers and property; (v) the maintenance of ferry boats in good order and the employment of competent men for [working] them; (vi) the inspection of the ferries and the ferry boats; and	Verbal changes.

68. The District Board may levy with the previous sanction of the Government and subject to such rules as may be framed by the Government in this behalf, a railway cess not exceeding six pies in the rupee on all items of revenue on which local cess is levied to be utilised solely in the construction of tramways and railways.	68. The District Board may levy, with the previous sanction of the Government and subject to such rules as may be framed by the Government in this behalf, a railway cess not exceeding six pies in the rupee on all items of revenue on which local cess is levied, to be utilised solely in the construction of tramways and railways [or for **guaranteeing the payment of interest on capital expended on any railway, tramway or other works** which may directly improve the means of communications within the District or between the District and other Districts.]	Power of District Board to levy Railway cess.
		The addition is necessary. The District Board may not be in a position to take up the work itself. In such cases it may guarantee out of the cess the interest on capital to Government or any Company offering to construct a line.
70. Subject to the bye-laws made in this behalf, a District Board may charge fees for [permissions] issued under this Regulation and levy rents and fees for the occupation or use of any road, land or other property placed under its control or vested in it or maintained out of the District Fund.	70. Subject to the bye-laws made in this behalf, a District Board may charge fees for [any permission] issued under this Regulation, and levy rents and fees for the occupation or use of any road, land or other property placed under its control or vested in it or maintained out of the District Fund.	Rents and Fees.
		No remarks.
71. The local cess, the railway cess and the education cess shall be [**adjusted or**] collected by the Departmental Government Officers or establishments concerned along with the principal items of revenue on which the cess is leviable. All other items of revenue shall be collected by such agency as the District Board appoints in this behalf with the approval of the Government, provided that it shall be lawful for a District Board to lease the right to levy tolls or any fee that may be imposed under this Regulation by public auction, subject to the rules prescribed, and the amount due under such lease shall be recoverable in the manner provided under Chapter VII.	71. The local cess, the railway cess and the education cess shall be collected by the Departmental Government Officers or establishments concerned, along with the principal items of revenue on which the cess is leviable. All other items of revenue shall be collected by such agency as the District Board appoints in this behalf with the approval of the Government, provided that it shall be lawful for a District Board to lease the right to levy tolls or any fee that may be imposed under this Regulation by public auction, subject to the rules prescribed, and the amount due under such lease shall be recoverable in the manner provided under Chapter VII.	Agency for Collection.
		The word "adjusted" is not necessary. It is omitted.
72. It shall be lawful for a District Board, with the previous sanction of the Government and subject to the conditions imposed by it, from time to time, to raise loans for constructing a railway or tramway or for the execution of any [approved] work or for the purpose of carrying out any of the provisions of this Regulation and to form a sinking fund for the repayment of such loans.	72. It shall be lawful for a District Board, with the previous sanction of the Government and subject to the conditions imposed by it, from time to time, to raise loans for constructing a Railway or tramway or for the execution of any work or for the purpose of carrying out any of the provisions of, this Regulation, and to form a sinking fund for the repayment of such loans.	District Board may raise loans and may form a sinking fund.
		As sanction of Government is obtained previously for any work, the use of the word "approved" in connection with the work to be undertaken is not necessary.
73. Subject to the rules that may be made by the Government from time to time, a District Board may grant loans from the District Fund to encourage local arts and industries and [to] recover the same in the manner provided in Chapter VII.	73. Subject to the rules that may be made by the Government from time to time, a District Board may grant loans from the District Fund to encourage local arts and industries and recover the same in the manner provided in Chapter VII.	Grant of loans to encourage local arts and industries.
		No remarks.
74. (1) Subject to the previous sanction of the Government, a District Board may make grants-in-aid to any medical [institution or school] within or without the area under its authority whether it be under public or private management.	74. (1) Subject to the previous sanction of the Government, a District Board may make grants-in-aid to any medical, [educational or charitable institutions or any other institution of public utility,] within or without the area under its authority, whether it be under public or private management.	Contributions to expenditure incurred by the Government and power to make grant-in-aid.
		Charitable institutions and other institutions of public utility are also included.

Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
74. (2) The Government may require a District Board to contribute towards the expenditure incurred by it [or any other District Board, Municipal Council or Village Panchayet,] for any of the purposes authorised by or under the provisions of this Regulation if such expenditure is such as to benefit the inhabitants of the area under the authority of such District Board.	74. (2) The Government may require a District Board to contribute towards the expenditure incurred by it for any of the purposes authorised by, or under the provisions of this Regulation, if such expenditure is such as to benefit the inhabitants of the area under the authority of such District Board.	As the expenditure is incurred under the orders of Government, it is unnecessary to mention the various agents that may be employed for incurring the expenditure or carrying out the work.
75. When a District Board has entered into any arrangement or made any promise, purporting to bind itself or its successors for a term of years or for an unlimited period, to continue to any institution a yearly contribution from its property or from the District Fund, it shall be lawful for the District Board or its successors with the sanction of the Government, to cancel such arrangement or promise or to discontinue or to diminish such contribution, provided that it shall have given at least [six months'] notice of its intention so to do to the manager or managers of such institution.	75. When a District Board has entered into any arrangement, or made any promise, purporting to bind itself or its successors for a term of years or for an unlimited period, to continue to any institution a yearly contribution from its property or from the District Fund, it shall be lawful for the District Board or its successors, with the sanction of the Government, to cancel such arrangement or promise, or to discontinue or to diminish such contribution, provided that it shall have given at least [one year's] notice of its intention so to do to the manager or managers of such institution. **Arrangements purporting to be binding permanently or for a term of years.**	The period of notice is raised to one year so that the institution, which may have committed itself to expenditure in expectation of the continuance of the grant from the District Board may have sufficient time to readjust its finances
76. (3) The District Board shall, on or before the prescribed day, cause a copy of the estimate as approved by it to be sent to the Deputy Commissioner, who shall [submit the same to the Government with] his remarks, if any, and it shall be competent to the Government to sanction the estimate with such modification, if any, as it deems fit.	76. (3) The District Board shall, on or before the prescribed day, cause a copy of the estimate as approved by it to be sent to [Government through] the Deputy Commissioner who shall [forward a copy of] his remarks, if any, [to the District Board] and it shall be competent to the Government to sanction the estimate with such modification, if any, as it deems fit.	Th.s is in consonance with the changes made before. A copy of the remarks should be sent to the Board, in order that the Board may answer any points raised by the Deputy Commissioner, before final orders are passed by Government.
[Provided that] the District Board may sanction transfer of funds from one major or minor head in the budget to any major or minor head by a re-appropriation of an allotment sanctioned in the budget.	(4) The District Board may sanction transfer of funds from [any] one major or minor head in the budget to any [other] major or minor head by a re-appropriation of an allotment sanctioned in the budget.	This is not a proviso. It is made a sub-clause.
Nil	[(5) **No expenditure which is not provided** for in the estimate as approved or modified by the Government **shall be incurred** during the year to which the estimate relates, **without the previous sanction of the Government**, obtained on one or more supplemental estimates.]	The addition is obviously necessary.
77. Accounts of all the receipts and expenditure of every District Board shall be made up to the last day of every official year, in such form as the Government from time to time [prescribes,] and shall be examined and audited as soon as may be, after the end of each official year by such persons as the Government from time to time [appoints] in this behalf.	77. Accounts of all the receipts and expenditure of every District Board shall be made up to the last day of every official year, in such form as the Government [may], from time to time [prescribe,] and shall be examined and audited as soon as may be, after the end of each official year by such persons as the Government [may], from time to time [appoint] in this behalf. **Annual Accounts and Audit.**	Verbal changes calling for no remarks.

79. An abstract of every annual account of a District Board, showing its income under each head of receipts, the charges for establishment, the works undertaken, the sums expended on each work and [the balance, if any, of the fund remaining unspent,] shall be prepared by the District Board and submitted to the Government.	79. An abstract of every annual account of a District Board, showing its income under each head of receipts, the charges for establishment, the works undertaken, the sums expended on each work, and [of its assets and liabilities,] shall be prepared by the District Board and submitted to the Government.	Preparation of abstract of accounts to be sent to the Government.
80. (1) When any sum not being a toll payable on demand—	80. (1) When any sum not being a toll payable on demand—	
* * * * *	* * * * *	
(*b*) which is claimable as a fee, cess or other due under this Regulation or any rule or bye-law thereunder, shall have become [due] and remain unpaid ten days after the same is due, the President of the District Board or some person duly authorised by the President in writing in this behalf may serve upon the person or persons liable to pay such sum, a notice in writing in a form to be prescribed by the rules famed in this behalf.	(*b*) which is claimable as a fee, cess or other due under this Regulation or any rule or bye-law thereunder, shall have become [payable] and remain unpaid ten days after the same is due, the President of the District Board, or some person duly authorised by the President in writing in this behalf, may serve upon the person or persons liable to pay such sum, a notice in writing, in a form to be prescribed by the rules framed in this behalf.	'Payable' is a better word than 'due' in this clause, because of the use of the word 'due' already in the clause.
82. The President or other person duly authorised as aforesaid shall make an inventory of the property distrained and if the amount due is not paid within fifteen days after distraint, the property may be sold.	82. The President or other person duly authorised as aforesaid, shall make an inventory of the property distrained, [a copy of which shall, on demand, be delivered to the defaulter or any person on his behalf,] and if the amount due is not paid within fifteen days after distraint, the property may be sold.	Inventory, sale.
Nil.	[84. (5) **If any claim shall be set up** by a third person to movable property distrained under the provisions of this chapter, the **President shall admit or reject the claim on a summary enquiry** held after reasonable notice. If the claim be admitted wholly or partly, the property shall be dealt with accordingly. Except in so far as it is admitted, the property shall be sold and the title of the purchaser shall be good for all purposes, and the proceeds shall be disposable as hereinbefore directed. Provided that **nothing** in this sub-section **shall be deemed to bar the claimant or any person** having any interest in the property distrained, **from seeking relief in a Civil Court** having jurisdiction.]	Claims to distrained property how to be disposed of.
		There should be provision for a copy of the list of properties distrained being given to the party or his agent, to prevent risk of fraud, etc. These is such a provision in the Code of Criminal Procedure. Provision for the entertainment of claims against properties distrained is inserted on the analogy of Section 192 of the Land Revenue Code. The party's right of suit in a Civil Court is not to be affected.
87. (1) Any District Board may, with the sanction of the Government, appoint a Chief Officer [and] a Health Officer and an [Engineering] or any one or more of such officers or appoint one person, whether temporarily, or permanently, to discharge the duties of any two or of all such [officers] and pay such salaries to them as the Government having regard to the financial condition of the District Board may direct.	87. (1) Any District Board may, with the sanction of the Government, appoint a Chief Officer, a Health Officer and an [Engineer] or any one or more of such officers, or appoint one person, whether temporarily or permanently, to discharge the duties of any two or of all such [offices] and pay such salaries to [him or] them as the Government, having regard to the financial condition of the District Board, may direct.	District Board may appoint Chief Officer, Health Officer and Engineer.
		Verbal changes calling for no remarks.

Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
87. (2) No such officer shall be removable from office except with the previous sanction of the Government.	87. (2) [Subject to such rules, if any, as may be framed by the Government from time to time, all such officers of the District Board shall be subordinate to the District Board.] No such officer shall be removable from office except with the previous sanction of the Government.	It is made clear that officers appointed under sub-section (1) are subordinate to the District Board.
87. (5) The Chief Officer may, with the permission of the President, or in virtue of a resolution passed in this behalf at any meeting of the District Board or of any Committee make an explanation in regard to any subject under discussion at such meeting, but shall not vote upon or [make] any proposition at such meeting.	87. (5) The Chief Officer may, with the permission of the President, or in virtue of a resolution passed in this behalf at any meeting of the District Board or of any Committee, make an explanation in regard to any subject under discussion at such meeting, but shall not vote upon or [move] any proposition at such meeting.	Calls for no remarks.
90. The Government may, by order in writing, amend any proceedings or resolution of a District Board which it considers to be [wrong or] not in conformity with [law] and the rules or bye-laws in force thereunder, and may do all things necessary to secure such conformity.	90. The Government may, by order in writing, amend any proceedings or resolution of a District Board which it considers to be not in conformity with [the provisions of this Regulation] and the rules or bye-laws in force thereunder, and may do all things necessary to secure such conformity.	Government's power to amend proceedings of District Boards. The words "wrong or" are omitted as the rest of the sentence is clear enough.
91. The Deputy Commissioner of a District shall have power—	91. [Subject to such rules as the Government may frame from time to time in this behalf,] the Deputy Commissioner of a District shall have power—	Inspection of offices of District Boards. Government should frame suitable rules for inspection by Deputy Commissioners.
(*a*) to inspect the office of [any District Board.]	(*a*) to inspect the office of [the District Board or Boards in the District,]	It is made clear that a Deputy Commissioner has power to inspect only the Board or Boards in his District.
(*b*) to call for records of [any District Board] either on his own motion or on the application of an aggrieved party and to submit the same with his opinion to the Government for such orders as it may deem fit to pass, if he is satisfied that the order or [proceedings] of the District Board or its executive is wrong or contrary to law.	(*b*) to call for records of [the District Board or Boards in the District] either on his own motion or on the application of an aggrieved party and to submit the same with his opinion to the Government for such orders as it may deem fit to pass, if he is satisfied that the order or [proceeding] of the District Board or its executive is wrong or contrary to law.	
92. (1) The Deputy Commissioner of District shall have power to supervise the proceedings of the District Board [on] the several Committees in the District, and in the exercise of that power may (among other things)—	92. (1) The Deputy Commissioner of [the] District shall have power to supervise the proceedings of the District Board [or Boards and of] the several Committees in the District, and in the exercise of that power may (among other things)—	Deputy Commissioner's power of supervision.
* * * * *	* * * * *	
(*b*) call for and inspect [any document which may be, for the purposes of this Regulation,] in the possession, or under the control, of [the] District Board or a Committee; and	(*b*) call for and inspect, [for the purposes of this Regulation, any document which may be] in the possession, or under the control, of [a] District Board or a Committee [in the District;] and	Recast so as to restrict the power of the Deputy Commissioner to call for documents only when they are to be inspected for the purposes of this Regulation.
* * * * *	* * * * *	

making it, and it shall be in the discretion of the Board to rescind the order, or to direct that it continue in force, with or without modification permanently or for such period as it thinks fit.

94. (1) In cases of emergency, the Deputy Commissioner may provide for the execution of any work or the doing of any act, which a District Board is empowered to execute or do and the immediate execution or doing of which is, in his opinion, necessary for the service or safety of the public, and may direct that the expense of executing the work or doing the act, with a reasonable remuneration to the person appointed to execute, or to do it, shall be forthwith paid by the District Board.

(2) * * * * *

(3) The Deputy Commissioner shall forthwith report to the Government every case in which he exercises the powers given to him by this section.

97. If any dispute for the decision of which this Regulation does not otherwise provide arises between two or more District Boards or between a District Board and one or more Municipal Councils, the matter shall be referred to the Government whose decision shall be final [and binding.]

Clause 103—Proviso.

Provided that no person shall be convicted under this section by reason only of such person,

(a) having a share in any Joint Stock Company or a share or interest in any society registered [or deemed to be registered] under the Mysore Co-operative Societies Regulation which shall contract with or be employed by or on behalf of the District Board, or

* * * * *

105. No action shall be brought against any District Board or any of its officers or any person acting under its direction, for anything done or purporting to be done under this Regulation, until the expiration of [one month] next after notice in writing shall have been delivered or left at the office of the Board or at the place of abode of such person, [explicitly noting the cause of action and the name and the place of abode of the intended plaintiff.].

affording the Board reasonable opportunities for stating its case,] to rescind the order, or to direct that it continue in force with or without modification, permanently or for such period as it thinks fit.

94. (1) In cases of emergency, the Deputy Commissioner may provide for the execution of any work, or the doing of any act, which a District Board is empowered to execute or do [under sub-section (1) of section 45,] and the immediate execution or doing of which is, in his opinion, necessary for the service or safety of the public, and may direct that the expense of executing the work or doing the act, with a reasonable remuneration to the person appointed to execute, or to do it, shall be forthwith paid by the District Board.

Extraordinary powers of Deputy Commissioner in cases of emergency.

(2) * * * * *

(3) The Deputy Commissioner shall forthwith report to the Government every case in which he exercises the powers given to him by this section, [and on receiving such report the Government may pass such orders as it deems fit.]

97. If any dispute, for the decision of which this Regulation does not otherwise provide, arises between two or more District Boards, or between a District Board and one or more Municipal Councils, the matter shall be referred to the Government whose decision shall be final.

Disputes.

Clause 103—Proviso.

Provided that no person shall be convicted under this section by reason only of such person—

(*a*) having a share in any Joint Stock Company or a share or interest [in any literary association registered under the Societies Registration Regulation, 1904, or] in any society registered under the Mysore Co-operative Societies Regulation, which shall contract with or be employed by or on behalf of the District Board, or

* * * * *

105. No action shall be brought against any District Board, or any of its officers, or any person acting under its direction, for anything done or purporting to be done under this Regulation, until the expiration of [two months] next after notice in writing shall have been delivered or left at the office of the Board or at the place of abode of such person; [such notice shall state the cause of action, the relief sought, the amount of compensation, if any, claimed and the name and the place of abode of the intending plaintiff: provided that in suits for the recovery of immovable property or for a declaration of title thereto, particulars of the relief sought may not be given.]

Restrictions with respect to actions against District Board.

* * * * *

The extraordinary powers of the Deputy Commissioner are restricted to such works and acts as fall under the *obligatory* duties of the Board.

The addition calls for no remarks.

The last two words of the clause are omitted as unnecessary.

Vide clause 11 for the reason.

Notice of one month is not sufficient to come to a decision as to whether the suit may be compromised or defended. The period is enhanced to two months.

Details as regards relief sought, amount claimed, etc., should find a place in the notice for the information of the Board. When the suit is for recovery of immovable property or for a declaration of title thereto, these details are not necessary.

Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
Nil.	[107. (1) Whoever shall have built or set up, or shall build or set up, any wall or any fence, rail, post, stall, verandah, platform, plinth, step, or any projecting structure, or thing, or other **encroachment or obstruction, in any public street**, or shall deposit or cause to be placed or deposited any box, bale, package or merchandise, or any other thing in such street, or in or over or upon, any open drain, gutter, sewer or aqueduct in such street, shall, on conviction by a Magistrate, be punished with fine which may extend to Rs. 25. Obstructions and encroachments upon public streets and open spaces.	A fresh clause adapted from Section 122 of the Mysore Municipal Regulation is added for making obstructions on a public street, etc., offences, and giving the District Board power to remove such obstructions. The District Board has no such powers now.
	(2) The District Board shall have **power to remove** any such **obstruction or encroachment**, and shall have the like **power to remove any unauthorised obstruction or encroachment** of the like nature in any open space vested in or under the control of the District Board, and the expense of such removal shall be paid by the person who has caused the said obstruction or encroachment, and shall be recoverable in the manner provided in Chapter VII.]	
Nil	[108. It shall be competent to the **Government to declare that any District Board** established under the Mysore Local Boards and Village Panchayets Regulation, 1918, and **existing immediately prior to the commencement of this Regulation in the district, shall be deemed to be a District Board established under this Regulation** and shall exercise all the powers of a District Board under this Regulation until such date as the Government shall fix in this behalf. The President, Vice-President and members of such District Board as constituted immediately prior to the commencement of this Regulation shall then be deemed to have been appointed or elected under the provisions of this Regulation and their term of office shall expire on the aforesaid date fixed by the Government.] Transitory provision.	This is another alternative to avoid an interregnum when the Regulation is introduced into a district. Either elections may be held beforehand under proviso to sub-clause 3 of clause 1 or the District Board continued till such date as the Government may fix. During this period elections may be held.
SCHEDULE I.	SCHEDULE I.	
QUALIFICATIONS FOR VOTERS IN GENERAL CONSTITUENCY.	QUALIFICATIONS FOR VOTERS IN [A] GENERAL CONSTITUENCY.	
(See Section 9.)	(See Section 9.)	
(1) A person shall be qualified as a voter in a general constituency who—	(1) A person shall be qualified as a voter in a general constituency who—	

(ii) is a Kadim tenant [**paying**] an annual rent of not than Rs. 25 per annum on account of land held by him he constituency to the holder of an alienated village to h the provisions of Chapters VIII to X of the Land Rev- Code have been applied; or

* * *

(iii) [**pays** annually a] tax on buildings or shops of not than Rs. 5 in the constituency, or

* * *

(vii) [**pays**] income-tax to the Government and des in the constituency.

SCHEDULE II.

Purposes for which premises may not be used without a nse.

(See Section 55)

* * *

(*b*) [as a hotel, bakery, sweetmeat shop or for the sale articles intended for human food or drink,]

(*c*) for any of the purposes mentioned hereunder—

* * *

(3) for [sorting] hides, horns [or] skins, ...

SCHEDULE III.

Maximum rates of tolls.

(See Section 66)

	Rs.	a.	p.
[1. On every motor car	1	0	0

* * *

(ii) is a Kadim tenant [**assessed to**] an annual rent of not less than Rs. 25 per annum on account of land held by him in the constituency to the holder of an alienated village to which the provisions of Chapters VIII to X of the Land Revenue Code have been applied; or

* * *

(iii) [is **assessed** to an annual] tax on buildings or shops of not less than Rs. 5 in the constituency, or

* * *

(vii) [is **assessed** to] income-tax to the Government and resides in the constituency.

SCHEDULE II.

Purposes for which premises may not be used without a license.

(See Section 55)

* * *

(*b*) [as a dairy, hotel, restaurant, eating-house, coffee-house, sweetmeat shop, bakery, boarding house or lodging house (other than a students' hostel under public or recognised control), or for manufacturing ice or aerated waters,]

(*c*) for any of the purposes mentioned hereunder—

* * *

(3) for [storing] hides, horns, skins [or organic manure,]

SCHEDULE III.

Maximum rates of tolls.

(See Section 66)

	Rs.	a.	p.
[1. On every **motor bus** as defined in the Motor Vehicles Rules.]	[2	0	0]
[2.] On every motor car ...	1	0	0

* * *

Payment should not be the criterion. If a man is assessed to not less than Rs. 25, he should be eligible. This is in accordance with the resolution accepted by the Government.

Do do.

Do do.

It is desirable to specify the cases in which a license is necessary.

'sorting' is a mistake for 'storing.' Organic manure is added to the list.

The maximum rate of toll in the case of motor busses is inserted.